

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**UNITED STATES OF AMERICA,**

*Plaintiff,*

**v.**

**AMANDA LYNN HOWERTON,**

*Defendant.*

**Case No. CR-23-140-RAW**

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**UNOPPOSED MOTION FOR PRELIMINARY ORDER OF FORFEITURE**

The United States of America, by undersigned counsel, respectfully submits its Unopposed Motion for a Preliminary Order of Forfeiture in the above-entitled case for the reasons set forth in this Unopposed Motion.

**Statement of the Case**

1. On August 9, 2023, a Federal Grand Jury sitting in the Eastern District of Oklahoma returned a three count Indictment containing a forfeiture allegation against Amanda Lynn Howerton (Howerton). Howerton was charged in Counts One through Three with Sexual Exploitation of a Child/Use of a Child to Produce a Visual Depiction in violation of Title 18, United States Code, Sections 2251(a) and (e).

2. The forfeiture allegation of the Indictment provided Howerton with notice that upon conviction of any of the violations charged in Counts One through Three, pursuant to Title 18, United States Code, Section 2253, she would forfeit to the United States any and all of the defendant's right, title and interest in:

- a. any visual depiction described in section 2251, 2251A, or 2252, 2252A, 2252B, or 2260 of Title 18, or any book, magazine, periodical, film, videotape, or other matter which

contains any such visual depiction, which was produced, transported, mailed, shipped, or received;

- b. any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and
- c. any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property.

3. The property subject to forfeiture, pursuant to Title 18, United States Code, Section 2253 includes, but is not limited to the following item: Motorola Cellular Phone, IMEI 356888113026064, Model XT2115DL.

4. On February 5, 2024, Howerton plead guilty to Count One of the Indictment. Based upon the guilty plea by the defendant, the United States has established the requisite nexus between the property and the offense to which the defendant has entered her plea of guilty. Accordingly, the property listed above is subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 2253.

5. The Government has provided counsel for the defendant with a copy of this Unopposed Motion for Preliminary Order of Forfeiture and the proposed Preliminary Order of Forfeiture. Defendant's counsel has advised that the defendant has no objections to the entry of a Preliminary Order of Forfeiture forfeiting the assets listed in this Unopposed Motion.

6. Upon the issuance of a preliminary order of forfeiture, and pursuant to Title 21, United States Code, Section 853(n) and Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, the United States will publish notice of the forfeiture and of the intent of the United States to dispose of the property in such manner as the Attorney General may direct. The notice will state that any person, other than the defendant, having or claiming a legal interest in the

property must file a petition with the Court and serve a copy on Clay A. Compton, Assistant United States Attorney, within thirty (30) days of the final date of publication of notice or within thirty (30) days of receipt of actual notice, whichever is earlier. This notice will state that the petition shall: (a) be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property; (b) be signed by the petitioner under penalty of perjury; (c) set forth the nature and extent of the petitioner's right, title or interest in the property; and (d) set forth any additional facts supporting the petitioner's claim and the relief sought. The United States will also send notice to any person who reasonably appears to be a potential claimant withstanding to contest the forfeiture in the ancillary proceeding.

7. Pursuant to Rule 32.2(c)(2) of the Federal Rules of Criminal Procedure, if no third-party files a timely petition to the property, the preliminary order becomes the final order of forfeiture, and the United States shall have clear title to the property for disposition according to law.

### **Conclusion**

WHEREFORE, by virtue of the guilty plea by Defendant Amanda Lynn Howerton, the United States respectfully requests that this Court enter a Preliminary Order of Forfeiture of the above-described property.

Respectfully Submitted,

CHRISTOPHER J. WILSON  
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s/ Clay A. Compton  
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**CERTIFICATE OF SERVICE**

I, hereby certify that on April 12, 2024, I electronically transmitted the attached documents to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants: Rhyder Jolliff, Attorney for Defendant.

s/ Clay A. Compton  
CLAY A. COMPTON  
Assistant United States Attorney